

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

MELISSA OSTRANDER, Plaintiff)

v.)

CIVIL ACTION NO. 04-30197-MAP

HUSSMANN CORPORATION,)

Defendants)

PARTIES' JOINT STATEMENT

The plaintiff lost four fingers and the thumb of her left (non-dominant) hand when working on a meat grinder ostensibly manufactured by the defendant's corporate predecessor. It appears the grinder was manufactured in the late-1940's. The case proceeds on Massachusetts common law negligence and statutory implied warranty and G.L. c. 93A claims, predicated on defective design and failure to warn theories. The plaintiff was an 18 year old high school senior working part time at a deli/market in Westfield when this accident occurred

Now come the parties and submit their joint statement pursuant to Local Rule 16 and the Notice of Scheduling Conference (Docket #8), as follows:

I. Joint Discovery Plan

- a. Automatic Discovery - - The parties have already begun their compliance with automatic discovery and anticipate automatic discovery will be completed not later than January 15, 2005;
- b. Written Discovery - - The parties will serve their written discovery (interrogatories, requests for production and admissions) in advance of February 1,

2005. Responses will be due on or before April 1, 2005;

- c. Non-expert Depositions - - The parties do not anticipate taking more than five witness depositions per side. Lay depositions will be completed on or before October 1, 2005;
- d. Medical Exam and Inspections: The parties will complete any medical examinations under Rule 35 and/or inspections under Rule 34 on or before October 1, 2005;
- e. Expert Disclosure and Depositions: For any experts the plaintiffs wish to have testify at trial, the plaintiffs shall serve reports and other accompanying information required by Rule 26 to the defendant on or before November 1, 2005; the defendant will do likewise by December 15, 2005. Depositions of experts, if any, will take place on or before February 1, 2006.
- f. Final Pre-Trial Conference: The parties anticipate this case will be ready for a final conference on or after March 1, 2006.

II. Motions

- a. The defendant intends to file an early motion for summary judgment on the G.L. c. 93A claim;
- b. Depending on the course of discovery, the defendant may move for summary judgment on additional claims and


theories by December 1, 2005;

c. No other motions are anticipated by the parties at this time.

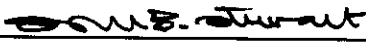
III. Other Matters

None apparent at this time.


MELISSA OSTRANDER, Plaintiff
Plaintiff

By 
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(413) 736-6188

HUSSMANN CORPORATION, Defendant

By 
JOHN B. STEWART
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-and-

By 
HAL ETKIN
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CERTIFICATE OF SERVICE

I hereby certify that a true copy of the within motion was served upon each other party by first class mail on December 27th, 2004.


JOHN B. STEWART
MORIARTY, DONOGHUE & LEJA, P.C.